



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re the Application of:

Erik RASMUSSEN

Serial No.: 10/181,967

Group Art Unit: _____

Filed: August 5, 2002

Examiner: Unknown

For: A METHOD FOR TREATMENT OF FLUE GAS CLEANING PRODUCTS

WITHDRAWAL OF SMALL ENTITY STATUS

Commissioner of Patents
 Washington, D.C. 20231

Dear Sir:

Please withdraw the Small Entity Status of the above-captioned application.

On August 5, 2002, the above national phase application was filed in the U.S. Patent and Trademark Office. A copy of the Transmittal Letter and check stub in the amount of \$1128 is attached. At the time of filing, the filing fee was correctly paid at the Large Entity rate. However, because Applicant mistakenly believed that it qualified for Small Entity status, a Small Entity Declaration and a Request for Refund were filed on October 24, 2002, requesting refund of one-half of the filing fee, as follows:

Basic Filing Fee	\$445.00
Late filing surcharge	\$ 65.00
Add'l claims (6)	<u>\$ 54.00</u>
Total	\$564.00

A copy of the October 24, 2002 Transmittal of Small Entity Declaration and Request for Refund is also attached. Because

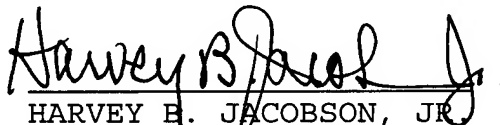
RECEIVED
 FEB 26 2003
 IC 2800 MAIL ROOM

undersigned counsel has not yet received its November or December 2002 Monthly Statement of Deposit Account, we do not know whether the above \$564 has been refunded. If it has not already been refunded, then this paper will serve as a request to withdraw the Request for Refund filed October 24, 2002. If the \$564 has already been refunded, then the \$564.00 should again be charged to undersigned counsel's Deposit Account 06-1358 to correctly reflect Applicant's Large Entity status.

Undersigned counsel further avers that the error in filing the Small Entity Declaration and Request for Refund occurred without deceptive intent on the part of the Applicant or undersigned counsel.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By: 
HARVEY H. JACOBSON, JR.
Reg. No. 20,851

400 Seventh Street, N.W.
Washington, D.C. 20004
(202) 638-6666
Atty. Dkt. No. P68006US0
HBJ/lhs
December 27, 2002

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		A. JURY'S DOCKET NUMBER P68006US0
		US APPLICATION NO. (If known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/DK01/00078	INTERNATIONAL FILING DATE 2 February 2001	PRIORITY DATE CLAIMED 4 February 2000
TITLE OF INVENTION A METHOD FOR TREATMENT OF FLUE GAS CLEANING PRODUCTS		
APPLICANT(S) FOR DO/EO/US Erik RASMUSSEN		

Applicant herein submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for Internatl. Preliminary Examination was made by the 19th month from earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is hereby incorporated by reference and
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☒ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the Internatl. Preliminary Examination report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - International Search Report - EPO
 - PCT Request Form
 - PCT/IB/306 Form
 - First Page of Publication
 - International Preliminary Examination Report - with annexes

US APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/DK01/00078		ATTORNEY'S DOCKET NUMBER P68006US0	
---	--	--	--	--	--

17. <input checked="" type="checkbox"/> The following fees are submitted: Basic National F (37 CFR 1.492(a)(1)-(5)): Internatl. prelim. examination fee paid to USPTO (37 CFR 1.492 (a) (1)) ... \$710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (2)) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ... \$740.00 Neither international preliminary examination fee (37 CFR 1.492 (a) (3)) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO) \$1040.00 International preliminary examination fee paid to USPTO (37 CFR 1.492 (a) (4)) and all claims satisfied provisions of PCT Article 33(2)-(4) \$100.00 Search Report prepared by the EPO or JPO (37 CFR 1.492 (a) (5)) \$890.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>				CALCULATIONS		PTO USE ONLY	
				\$ 890.00			

Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00			
---	--	--	--	-----------	--	--	--

Claims	Number Filed	Number Extra	Rate		
Total Claims	26 - 20 =	-6-	x \$18.00	\$ 108.00	
Independent Claims	1 - 3 =	-0-	x \$84.00	\$	
Multiple Dependent Claim(s) (if applicable)			+ \$280.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 1128.00	

Reduction by 1/2 for filing by small entity , if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$			
--	--	--	--	----	--	--	--

SUBTOTAL =				\$ 1128.00			
-------------------	--	--	--	------------	--	--	--

Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f))				\$			
--	--	--	--	----	--	--	--

TOTAL NATIONAL FEE =				\$ 1128.00			
-----------------------------	--	--	--	------------	--	--	--

Fee of \$40.00 for recording the enclosed assignment (37 CFR 1.21(h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31).				\$			
--	--	--	--	----	--	--	--

TOTAL FEES ENCLOSED =				\$ 1128.00			
------------------------------	--	--	--	------------	--	--	--

				Amt. to be refunded:		\$	
				Amt. charged:		\$	

a. ☒ A check in the amount of \$ 1128.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 06-1358 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge my account any additional fees set forth in §1.492 during the pendency of this application, or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.

SEND ALL CORRESPONDENCE TO:

JACOBSON HOLMAN PLLC
 400 7th Street, N.W., Suite 600
 Washington, DC 20004
 202-638-6666
CUSTOMER NUMBER: 00136

By _____
 Harvey B. Jacobson, Jr.
 Reg. No. 20,851

JPH&S 3/95

JACOBSON, HOWARD P.L.C. • 400 SEVENTH STREET, N.W. • WASHINGTON, D.C. 20004-2201	
DATE	08-05-02
INPAYMENT FOR	
FILING FEE 1128.00 ISSUE FEE AMENDMENT APPLICANT NKT RESEARCH & INNOVATION A/S SER. NO. MARK OUR FILE NO. 12791 WRITER CME CHARGE TO P68006US0	ASSIGNMENT FEE APPEAL FEE MISCELLANEOUS
AMOUNT	
1128.00	

P.O. 59362

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Erik RASMUSSEN
Serial No.: 10/181,967
Filed: August 5, 2002
For: A METHOD FOR TREATMENT OF FLUE GAS CLEANING PRODUCTS

**TRANSMITTAL OF SMALL ENTITY
DECLARATION AND REQUEST FOR REFUND**

Commissioner for Patents
Washington, D.C. 20231

Attention: REFUND SECTION, ACCOUNTING
DIVISION, OFFICE OF FINANCE

Sir:

Submitted herewith is a Small Entity Declaration, establishing small entity status for the captioned application. In view of Manual of Patent Examining Procedure (MPEP) 509.03, refund of the excess fee paid on August 5, 2002, is respectfully requested. Please credit a refund in the amount of \$564.00 to undersigned Counsel's Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

JACOBSON HOLMAN PLLC

By _____
Harvey B. Jacobson, Jr.
Reg. No. 20,851

400 Seventh Street, N.W.
Washington, D.C. 2004-2201
(202) 638-6666

Atty. Docket: P68006US0
Date: October 24, 2002
HBJ/sd

Law Offices of
JACOBSON HOLMAN
 PROFESSIONAL LIMITED LIABILITY COMPANY
 THE JENIFER BUILDING
 400 SEVENTH STREET, N.W.
 WASHINGTON, DC 20004

Attny's Docket No. P68006US0

SMALL ENTITY DECLARATION
 [37 CFR 1.9(c-f)]

Each undersigned declares that:

(1) ☒ the application attached hereto.(2) ☐ U.S. Application Serial No. _____, filed _____(3) ☐ U.S. Patent No. _____ Issued _____

is entitled to the benefits of "small entity" status for paying reduced fees under 35 USC 41(a) and (b) to the Patent and Trademark Office by virtue of the following:

(4) ☐ Each undersigned declares that he/she qualifies as an independent inventor, or would qualify had he/she made the as defined in 37 CFR 1.9(c).

(5) ☒ The undersigned declares that he/she is an official empowered to act on behalf of the concern identified below; that concern qualifies as a small business concern as defined in 37 CFR 1.9(d); that exclusive rights to the invention have been conveyed to and remain with the small business concern, or if the rights are not exclusive, that all other rights belong to small entities as defined in 37 CFR 1.9.

(6) ☐ The undersigned declares that he/she is an official empowered to act on behalf of the organization identified below; that organization qualifies as a nonprofit organization as defined in

(a) ☐ 37 CFR 1.9(e)(1)(b) ☐ 37 CFR 1.9(e)(2)(c) ☐ 37 CFR 1.9(e)(3)(d) ☐ 37 CFR 1.9(e)(4)

State law of _____

that exclusive rights to the invention have been conveyed to and remain with the organization, or if the rights are not exclusive, that all other rights belong to organizations as defined in 37 CFR 1.9.

(7) Each person, concern or organization to which I/we have assigned, granted, conveyed or licensed, or am under an under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

(a) ☒ no such person, concern or organization(b) ☐ persons, concerns or organization listed below

[a separate declaration is required from each named person, concern or organization having rights to this invention averring to their status as "small entities."]

Full Name _____

Address _____

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

I/we acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement of small entity prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I/we hereby declare all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.

(8)	_____	_____	_____
	Typed Name of Inventor	Signature	Date
	_____	_____	_____
	Typed Name of Inventor	Signature	Date
	_____	_____	_____
	Typed Name of Inventor	Signature	Date
	_____	_____	_____
	Typed Name of Inventor	Signature	Date

(9)	<u>Watech A/S</u>	Name of Small Business Concern or Nonprofit Organization
	<input checked="" type="checkbox"/> Jakob Skov	By <u>[Signature]</u>
	Typed Name	Signature
	<input checked="" type="checkbox"/> CEO	Date <u>6/8-2002</u>
	Title of Signatory	